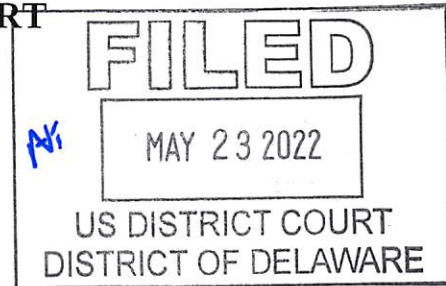


(Del. Rev. 11/14) Pro Se General Complaint Form


IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

DAVID Q. WEBB

(In the space above enter the full name(s) of the plaintiff(s).)



-against-

Civ. Action No. 22 - 670 
(To be assigned by Clerk's
Office)

BANK OF AMERICA CORPORATION AND

MELISSA ANNE GRELLER.

(In the space above enter the full name(s) of the defendant(s).
If you cannot fit the names of all of the defendants in the
space provided, please write "see attached" in the space
above and attach an additional sheet of paper with the full list
of names. The names listed in the above caption must be
identical to those contained in Section I. Do not include
addresses here.)

COMPLAINT
(Pro Se)

Jury Demand?

☒ Yes

☐ No

NOTICE

Federal Rule of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number.

If this is an employment discrimination claim or social security claim, please use a different form.

Plaintiff need not send exhibits, affidavits, grievance or witness statements, or any other materials to the Clerk's Office with this complaint.

(Del. Rev. 11/14) Pro Se General Complaint Form

I. PARTIES IN THIS COMPLAINT**Plaintiff**

List your name, address and telephone number. If you are presently in custody, include your identification number and the name and address of your current place of confinement. Do the same for any additional plaintiffs named. Attach additional sheets of paper as necessary.

Plaintiff:

WEBB, DAVID Q.

Name (Last, First, MI)

40 East Main Street, #137

Street Address

New Castle County, Newark, Delaware

County, City

State

19711

Zip Code

(203) 898-5235

Telephone Number

dwebb4491@gmail.com

E-mail Address (if available)

Defendant(s)

List all defendants. You should state the full name of the defendants, even if that defendant is a government agency, an organization, a corporation, or an individual. Include the address where each defendant can be served. Make sure that the defendant(s) listed below are identical to those contained in the above caption. Attach additional sheets of paper as necessary.

Defendant 1:

Bank of America Corporation, Corporate Offices

Name (Last, First)

100 North Tryon Street

Street Address

Mecklenburg County, Charlotte, North Carolina 28255

County, City

State

Zip Code

Defendant 2:

Melissa Anne Grotter

Name (Last, First)

Bank of America Branch #DE6-282-01-01
400 Delaware Avenue

Street Address

New Castle County, Wilmington, Delaware

County, City

State

19801

Zip Code

(Del. Rev. 11/14) Pro Se General Complaint Form

Defendant(s) Continued

Defendant 3: None
 Name (Last, First)

 Street Address

 County, City

 State

 Zip Code

Defendant 4: None
 Name (Last, First)

 Street Address

 County, City

 State

 Zip Code

II. BASIS FOR JURISDICTION

Check the option that best describes the basis for jurisdiction in your case:

- ☐ **U.S. Government Defendant:** United States or a federal official or agency is a defendant.
- ☐ **Diversity of Citizenship:** A matter between individual or corporate citizens of different states and the amount in controversy exceeds \$75,000.
- ☒ **Federal Question:** Claim arises under the Constitution, laws or treaties of the United States.

If you chose "Federal Question", state which of your federal constitutional or federal statutory rights have been violated.

14th Amendment pursuant to 42 U.S.C. 1983.

(Del. Rev. 11/14) Pro Se General Complaint Form

III. VENUE

This court can hear cases arising out of the Counties of New Castle, Kent, and Sussex in the State of Delaware.

Under 28 U.S.C § 1391, this is the right court to file your lawsuit if: (1) All defendants live in this state AND at least one of the defendants lives in this district; OR (2) A substantial part of the events you are suing about happened in this district; OR (3) A substantial part of the property that you are suing about is located in this district; OR (4) You are suing the U.S. government or a federal agency or official in their official capacities and you live in this district. Explain why this district court is the proper location to file your lawsuit.

Venue is appropriate in this Court because:

See Continuation Sheets.

IV. STATEMENT OF CLAIM

Place(s) of
occurrence:

See Continuation Sheets.

Date(s) of occurrence: See Continuation Sheets.

State here briefly the FACTS that support your case. Describe how each defendant was personally involved in the alleged wrongful actions.

FACTS:

See Continuation Sheets.

What
happened to
you?

(Del. Rev. 11/14) Pro Se General Complaint Form

See Continuation Sheets.

See Continuation Sheets.

Was anyone
else
involved?

(Del. Rev. 11/14) Pro Se General Complaint Form

See Continuation Sheets.

Who did
what?

See Continuation Sheets.

(Del. Rev. 11/14) Pro Se General Complaint Form

V. INJURIES

If you sustained injuries related to the events alleged above, describe them here.

See Continuation Sheets,

VI. RELIEF

The relief I want the court to order is:

- ☒ Money damages in the amount of: \$ 2,080,000.⁰⁰
- ☒ Other (explain):

See Continuation Sheets,

(Del. Rev. 11/14) Pro Se General Complaint Form

VII. CLOSING

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending or modifying existing law; and (3) complies with the requirements of Rule 11.

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

16 MAY 2022
Dated


Plaintiff's Signature

WEBB, DAVID Q.
Printed Name (Last, First, MI)

40 East Main Street, #137 Newark, Delaware 19711
Address City State Zip Code

(203) 898-5235 dwebb4491@gmail.com
Telephone Number E-mail Address (if available)

List the same information for any additional plaintiffs named. Attach additional sheets of paper as necessary.

Plaintiff need not send exhibits, affidavits, grievance or witness statements, or any other materials to the Clerk's Office with this complaint.

CONTINUATION SHEETS with COMPLAINT FOR A CIVIL CASE
=====

UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF DELAWARE
=====

DAVID Q. WEBB,)
)
Plaintiff(s)) CASE NO. 22 - 670
)
V.)
)
BANK OF AMERICA) VERIFIED COMPLAINT
CORPORATION) FOR A CIVIL CASE
and MELISSA ANNE GRELLER)
)
Defendants.)
)
)
) DEMAND FOR CIVIL JURY TRIAL
=====

I. THE PARTIES TO THIS COMPLAINT

B. Defendant(s) Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

Defendant No. 1

Name, Job or Title (if known): **BANK OF AMERICA CORPORATION**

Street Address City and County: Corporate Offices, 100 North Tryon Street, Charlotte,
Mecklenburg County

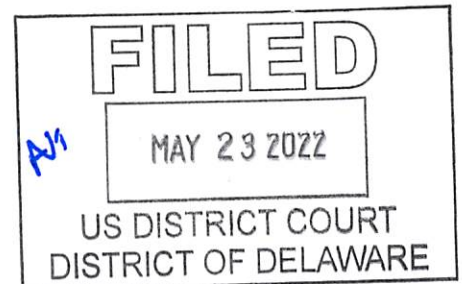
State and Zip Code: North Carolina 28255

Telephone Number: (704) 386-5681

Official Capacity

Defendant No. 2

Name, Job or Title (if known): **MELISSA ANNE GRELLER**, Officer & Financial Center
Assistant Manager



Street Address City and County: Bank of America Branch #DE6-282-01-01, 400 Delaware Avenue, Wilmington, New Castle County

State and Zip Code: Delaware 19801

Telephone Number: (302) 274-3074

Individual & Official Capacities [Final Policy Maker]

II. BASIS FOR JURISDICTION

Check the option that best describes the basis for jurisdiction in your case:

X Federal Question: Claim arises under the Constitution, Laws or Treaties of the United States. If you chose "Federal Question", state which of your federal constitutional or federal statutory rights have been violated.

This Court's Jurisdiction is pursuant to **28 U. S. C. 1331**, based on the **United States Constitutional** violations under the **14th Amendment** by the Named Below **Defendants** pursuant to **42 U. S. C. 2000d, et sequence** affording a Private Right of Action under **42 U. S. C. 1983**, as "**Non-State Actors**" under "**Color of Law.**"

III. VENUE

This **Court's Venue** is pursuant to **28 U. S. C. 1391**, based on all Defendants Live In this State and at least One of the Defendants lives in this Federal District of the **United States District Court for the District of Delaware** and a Substantial Part of the Events Contained in this Suit happened in this **Federal District**.

IV. STATEMENT OF CLAIM

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct.

All of the Events contained in this **Verified Federal Civil Rights Complaint** occurred within **New Castle County, Delaware** during the period of 01 March 2022, through the Present.

The Legal Claims & Causes of Action Against Each Defendant:

COUNT I: 42 U. S. C. 2000d, et sequence UNDER TITLE VI OF THE CIVIL RIGHTS ACT OF 1964 - This statute creates a private cause of action for claims of **Intentional Discrimination**. **Alexander v. Sandoval**, 532 U.S. 275, 279 (2001). To State a Claim, a Plaintiff must Allege that the Entity is Engaging in Discrimination on the Basis of a Prohibited Ground and

that the Entity receives Federal Financial Assistance. Fobbs v. Holy Cross Health Sys. Corp., 29 F.3d 1439, 1447 (9th Cir. 1994) (citations omitted), overruled on other grounds by Daviton v. Columbia/HCA Healthcare Corp., 241 F.3d 1131 (9th Cir. 2001). District courts in this Circuit have uniformly ruled that Defendants in their Individual Capacities are not subject to suit under Title VI. See, e.g., Corbin v. McCoy, 3:16-cv-01659-JE, 2018 WL 5091620, at *7 (D. Or. Sept. 24, 2018) (cataloging cases). This is because **Title VI** is directed toward Programs that receive Federal Financial Assistance, so that there is no Private Right of Action against Individual Employees or Agents of Entities receiving Federal Funding. Id.

[1] Claims Against Defendant BANK OF AMERICA CORPORATION

Defendant BANK OF AMERICA CORPORATION, is an **American Multinational Investment Bank and Financial Services Holding Company** with **\$3.169 Trillion in Total Assests** on 31 December 2021, yet it received a **\$20 Billion Bailout** and a guarantee for almost **\$100 Billion** of potential losses on Toxic Assets to cushion the blow from a deteriorating **Balance Sheet** at **Merrill Lynch & Copmany**, its recently acquired **Brokerage** in January 2009, from the **United States Treasury Department - Troubled Asset Relief Program (TARP)** on Friday, 16 January 2009.

Next, **Defendant BANK OF AMERICA CORPORATION**, is named as an **Defendant** as a **Recipient of Federal Funding** from the **United States Treasury Department - TARP**, Who **Intentionally Discriminated** against **Pro Se Plaintiff Webb** based on His **Race, Color and National Origin** by **Charging illegal Fees for Cashing a Corporate Commercial Disbursement Account Check** in violation of the **14th Amendment - Equal Protection Under The Law of the U. S. Constitutional Civil Rights of Pro Se Plaintiff David Q. Webb** on 01 March 2022, in violation of **42 U. S. C. 2000d, et sequence, under Title VI of the Civil Rights Act of 1964**, which provides a **Private Right of Action** under **42 U. S. C. 1983**, affording the **Recovery of Money Damages**.

Lastly, **Defendant BANK OF AMERICA CORPORATION**, **Employee** as a **Named Defendant** in Her Official Capacity as a **“State Actor”** acting under **“Color of Law”** because Her Conduct as a Private Individual [Under U. S. Supreme Court Precedent - - **Corporations are Individuals, too**] Was Specifically Authorized or Approved by Statute [DELAWARE STATE STATUTES regulated by the Financial Center Development Act (FCDA) enacted in February 1981 for Interstate Banking; Delaware State Banking Commissioner under Delaware Code Title 5 - State Banking Agencies and the FEDERAL BANKING REGULATIONS, inclusive of the the Federal Deposit Insurance Corporation (FDIC), etc...], violated the **14th Amendment - Equal Protection Under The Law of the U. S. Constitutional Civil Rights of Pro Se Plaintiff David Q. Webb** on 01 March 2022, by **Charging illegal Fees for Cashing a Corporate Commercial Disbursement Account Check** in violation of **42 U. S. C. 2000d, et sequence, under Title VI of the Civil Rights Act of 1964**, which provides a **Private Right of Action** under **42 U. S. C. 1983**, affording the **Recovery of Money Damages**.

These attached Exhibits - #1 & #2, sent-forth these **Facts** and additionally incorporate **COUNT IV: [1] & COUNT V: [1]**.

The **Federal Jurisdiction** for these above **Defendants** are under 28 U. S. C. 1331.

COUNT II: 42 U. S. C. 1983

Claims Against All Defendants are in their Official Capacity pursuant to Braunstein v. Ariz. Dep't of Trans., 683 F.3d 1177, 1189 (9th Cir. 2012)(noting that Congress has abrogated the Eleventh Amendment immunity of states for Title VI suits so that suits may be brought against officials in their official capacities) from the Conduct alleged below under 42 U. S. C. 1983.

Pro Se Plaintiff Webb alleges that **All Named Defendants** Sued under 42 U. S. C. 1983, are "**State Actors**" under "**Color of Law**" as **Delaware Code Title 5, Regulates the Duties and Responsibilities of Defendant BANK OF AMERICA CORPORATION Employees, which are Specifically Authorized or Approved by Statute [DELAWARE STATE STATUTES regulated by the Financial Center Development Act (FCDA) enacted in February 1981 for Interstate Banking; by the Delaware State Banking Commissioner under Delaware Code Title 5 - State Banking Agencies and the FEDERAL BANKING REGULATIONS, inclusive of the the Federal Deposit Insurance Corporation (FDIC), etc...]**.

Pro Se Plaintiff Webb alleges that both **Defendants BANK OF AMERICA CORPORATION** and **MELISSA ANNE GRELLER** in their **Official Capacity** are "**State Actors**" under "**Color of Law**" pursuant to Shelley v. Kraemer, 334 U. S. 1 (1948), in that this **Federal Civil Rights Lawsuit** is to **Judicially Enforce the Non-Discrimination Contract** between **Defendant BANK OF AMERICA CORPORATION** and the **United States Department of the Tresuary under 42 U. S. C. 2000d, et seq., under Title VI of the Civil Rights Act of 1964 and Brentwood Academy v. Tennessee Secondary School Athletic Association, 535 U. S. 971 (2002), in that the \$120 Billion received from the **United States Department of the Treasury under the TARP Program** made the **Federal Government "Pervasively Entwined "** with the **Leadership of the Private Organization, the Acts of the Organization are State Action**" with the **Rehiring in 2009, of Mr. Andy Sieg, President of Merrill Lynch Wealth Management upon the \$100 Billion of TARP Bail-Out Federal Funding** and more recently with **Mr. Tom Scrivener, Chief Operations Executive overseeing the Bank's Paycheck Protection Program (PPP) Forgiveness Program** funded through the **United States Small Business Administration (SBA)**.**

Pro Se Plaintiff Webb relies on Adickes v. S. H. Kress & Company, 398 U. S. 144, 150, 90 S.Ct. 1598, 1604, 26 L.Ed.2d 142 (1970), in this **42 U. S. C. 1983 Action** being brought against a Private Party, based on a **Claim of Racial Discrimination** in violation of the **Equal Protection Clause of the 14th Amendment under the United States Constitution**.

[1] Claims Against Defendant BANK OF AMERICA CORPORATION

- **Plaintiff Webb incorporates these facts herewith from above under COUNT I: and COUNT I: [1] herewith against these below Defendants.**

[A] Defendant BANK OF AMERICA CORPORATION [Under U. S. Supreme Court Precedent - - Corporations are Individuals, too] as the **Final Policy Maker** in its **Official Capacity** for Defendant **BANK OF AMERICA CORPORATION** incorporates these **Facts** from **COUNT I**; **COUNT I: [1]**; **COUNT IV: [1]** and **COUNT V: [1]** herewith against Defendant **MELISSA ANNE GRELLER**.

[B] Defendant MELISSA ANNE GRELLER, Officer & Financial Center Assistant Manager as a **Final Policy Maker** in Her **Official Capacity** for Defendant **BANK OF AMERICA CORPORATION** incorporates these **Facts** from **COUNT I**; **COUNT I: [1]**; **COUNT IV: [1]** and **COUNT V: [1]** herewith against Defendant **MELISSA ANNE GRELLER**.

These attached **Documents** as **Exhibit - #1 & #2**, sent-forth these **Facts** and additionally incorporate **COUNT IV: [1]** & **COUNT V: [1]**.

The **Federal Jurisdiction** for these above **Defendants** are under 28 U. S. C. 1331.

COUNT III: 14th AMENDMENT OF THE U. S. CONSTITUTION - EQUAL PROTECTION UNDER THE LAW CLAUSE

Plaintiff Webb incorporates these **facts** herewith from above under **COUNT I** & **COUNT I: [1]** herewith against these below **Defendants**.

[1] Defendant BANK OF AMERICA CORPORATION [Under U. S. Supreme Court Precedent - - Corporations are Individuals, too] as the **Final Policy Maker** in its **Official Capacity** for Defendant **BANK OF AMERICA CORPORATION** incorporates these **Facts** from **COUNT I**; **COUNT I: [1]**; **COUNT IV: [1]** and **COUNT V: [1]** herewith against Defendant **MELISSA ANNE GRELLER**.

[2] Defendant MELISSA ANNE GRELLER, Officer & Financial Center Assistant Manager as a **Final Policy Maker** in Her **Official Capacity** for Defendant **BANK OF AMERICA CORPORATION** incorporates these **Facts** from **COUNT I**; **COUNT I: [1]**; **COUNT IV: [1]** and **COUNT V: [1]** herewith against Defendant **MELISSA ANNE GRELLER**.

These attached **Documents** as **Exhibit - #1 & #2**, sent-forth these **Facts** and additionally incorporate **COUNT IV: [1]** & **COUNT V: [1]**.

The **Federal Jurisdiction** for this above **Defendants** is under 28 U. S. C. 1331.

COUNT IV: INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS

In Delaware No cause of action may be asserted for a Negligent Infliction of Emotional Distress Absent proof that Plaintiff has Suffered Severe Emotional Distress and has some **"Physical Injury"** resulting from Defendant's Actions. A person may Claim Emotional Distress

from witnessing the injury of another, or from one's own apprehension of injury. However, an Essential Element is that the Claimant has a **"Physical Injury."** Intentional infliction of emotional distress may warrant damages in the Absence of an Injury provided if there is a Showing of Severe Emotional Distress Caused by Extreme or Outrageous Conduct.

[1] Defendant MELISSA ANNE GRELLER committed Intentional Infliction of Emotional Distress - - On Friday, 25 February 2022, I phoned the **Bank of America Branch** at 400 Delaware Avenue, Wilmington, Delaware 19801, and spoke with **Ms. Melissa Greller** Who stipulated that She was the Assistant Branch Manager Acting in the Capacity as the Branch Manager, and I could come-in and **Cash a Corporate Check** drawn on a **Bank of America Commercial Disbursement Account**.

I arrived on Tuesday, 01 March 2022, and **Ms. Melissa Anne Greller** was the **Bank Teller** assisting **Bank of America Customers** to **Cash the Corporate Check** and notified Her that I was the Gentleman that She spoke with on Friday, 25 February 2022, over the Phone, of which She acknowledged that She remembered Our Phone Conversation.

MELISSA ANNE GRELLER then **Intentionally Discriminated** against **David Webb** based on **Unconstitutional Animus** on 01 March 2022, in violating the **14th Amendment of the U. S. Constitution - Equal Protection Under The Law** after seeking the **Cashing of Corporate Check [Copart, Incorporated]** drawn on the **Bank of America, Northbrook, Illinois 75889 - Commercial Disbursement Account No. 70-2328/719** for **illegal Fees Charged to Cash such Check**. See Attached Corporate Check and Receipt.

Additionally, **MELISSA ANNE GRELLER** explicitly stipulated that She could not provide **David Webb** with a **Written Bank of America Corporation Policy** stipulating that the **Fees Charged for Cashing a Corporate Check Drawn on an Bank of America Commercial Disbursement Account**, because there was None on 01 March 2022.

Next, **MELISSA ANNE GRELLER** stipulated that She has been with **Bank of America** for Five (5) Years and is the **Assistant Branch Manager [Acting as the Branch Manager until the Newly Appointed Branch Manager starts in May 2022]** and **We [BANK OF AMERICA CORPORATION]** have been **Charging these Fees to the Black Community** during each of these Five (5) Years. See attached **Exhibit #1.**

Then **Pro Se Plaintiff Webb** sat in the Front Entrance Lobby area and started placing the Paperwork from the Banking Transaction with **Defendant MELISSA ANNE GRELLER** into a File Folder and overheard the Phone Conversation between the Young White Male Security Guard and **Defendant MELISSA ANNE GRELLER** directing Him to ask **Pro Se Plaintiff Webb** to immediately leave the **Bank of America Branch**, because the **Bank of America Branch** was not available for its Customers to sit in the Lobby Area due to the **COVID-19 Pandemic Delaware State of Emergency** on 01 March 2022.

The Delaware State Governor [John Carney] had Lifted the Delaware State of Emergency for the COVID-19 Pandemic on 13 July 2021. This is further Evidence of Defendant MELISSA ANNE GRELLER's Unconstitutional Animus against Pro Se Plaintiff Webb in Her Official Capacity as a Bank of America Corporation Employee.

Unconstitutional Animus [consisting of Hostility; Animosity; Prejudice; Private Bias and/or Fear] which was the basis of Defendant MELISSA ANNE GRELLER Actions Under "Color of Law".

These are Legal Precedents under Four (4) U. S. Supreme Court Cases [Moreno v. Department of Agriculture, 413 U. S. 528 (1973); Palmore v. Sidotti, 466 U. S. 429 (1984); City of Cleburne v. Cleburne Living Center, 473 U. S. 432 (1985) and Romer V. Evans, (1996)] Holding that Unconstitutional Animus Shall Not be the Basis for Enshrining those Beliefs in the Laws of a State.

Lastly, this Extreme Stress endured from Defendant MELISSA ANNE GRELLER, Officer & Financial Center Assistant Manager caused several Heart-Attacks - - My Surgical Cardiologist is Dr. Yuri Khodakov, M. D.

The Federal Jurisdiction for these above Defendants are under 28 U. S. C. 1367.

COUNT V: VICARIOUS LIABILITY.

In Delaware it is Long-Settled that Fisher v. Townsend's, Incorporated, 695 A.2d 53 (1979), controls Vicarious Liability against a Employer/Employee Relationships as alleged here with the below Named Defendant [Employee] Relationship to the Named Defendant [Employer], which is Long-Held that "... In Delaware, the General Rule is that in order to hold an Employer Vicariously Liable for the Torturous Acts of its Employees, the Employee must have been Acting in furtherance of the Employer's Business and within the Course and Scope of Employment when the Torturous Act was committed..."

[1] Defendant BANK OF AMERICA CORPORATION, became Vicariously Liable pursuant to Fisher v. Townsend's, Incorporated, 695 A.2d 53 (1979), as soon as Defendant MELISSA ANNE GRELLER Intentionally Discriminated against Pro Se Plaintiff Webb based on Unconstitutional Animus on 01 March 2022, in violating the 14th Amendment of the U. S. Constitution - Equal Protection Under The Law after seeking the Cashing of Corporate Check [Copart, Incorporated] drawn on the Bank of America, Northbrook, Illinois 75889 - Commercial Disbursement Account No. 70-2328/719 for illegal Fees Charged to Cash such Check.

Additionally, Defendant MELISSA ANNE GRELLER explicitly stipulated that She could not provide Pro Se Plaintiff Webb with a Written Bank of America Corporation Policy stipulating that the Fees Charged for Cashing a Corporate Check

Drawn on an Bank of America Commercial Disbursement Account, because there was None on 01 March 2022.

Lastly, Defendant MELISSA ANNE GRELLER stipulated that She has been with **Bank of America** for Five (5) Years and is the **Assistant Branch Manager** [Acting as the Branch Manager until the Newly Appointed Branch Manager starts in May 2022] and We [Defendant **BANK OF AMERICA CORPORATION**] have been **Charging these Fees to the Black Community during each of these Five (5) Years.** See attached **Exhibits #1 & #2.**

The Federal Jurisdiction for these above Defendants are under 28 U. S. C. 1367.

V. INJURIES

Plaintiff Webb alleges that all of the above Defendants Acting in Their Official Capacities under “Color of Law” violated Plaintiff Webb’s U. S. Constitutional Civil Rights & Delaware State Tort Laws that caused Extreme Mental Anguish and Pain & Suffering based on Unconstitutional Animus.

VI. RELIEF

State briefly and precisely what damages or other relief the plaintiff asks the court to order.

I am seeking Compensation for **Money Damages** from the Defendant **BANK OF AMERICA CORPORATION** and specifically Named “Color of Law” Defendants in their Individual & Official Capacities after being denied Equal Protection Under the Law under the 14th Amendment of the United States Constitution based on Unconstitutional Animus.

[1] These are the amicable **Money Damages** for the Unconscionable Mental Anguish Suffered from being Mentally Abused by the “Color of Law” Defendants during the above events, as follows:

Paying Cumulatively the Total Sum of **\$1.8 Million Dollars** from **Bank of America Corporation & Melissa Anne Greller** and/or its Indemnification Insurer to Plaintiff Webb.

[2] Defendant **BANK OF AMERICA CORPORATION** as the Employer shall Pay the Sum of **\$280,000.00**, for its Legal Liability under the Vicarious Liability Law pursuant to Long-Settled **Fisher v. Townsend’s, Incorporated**, 695 A.2d 53 (1979), Who’s Employee made its Employer Legally Culpable, which basically stipulates:

“... In Delaware, the General Rule is that in order to hold an Employer Vicariously Liable for the Torturous Acts of its Employees, the Employee must have been Acting in furtherance of the Employer’s Business and within the Course and Scope of Employment when the Torturous Act was committed...”

WHEREFORE, Plaintiff **DAVID Q. WEBB** respectively prays that this Court:

- A. Enter Judgment in his favor and against All Named Defendants.
- B. Award Compensatory Damages, Attorney's Fees, and Costs against each Defendant, and Punitive Damages against each of the Defendants in their Individual Capacity.
- C. Grant such other and further Relief as the Court deems Equitable and Just.

VII. CLOSING

I Certify or Declare under Penalty of Perjury under the Laws of the State of Delaware & Washington and the United States of America that the foregoing is true and correct to the best of knowledge, information and belief in accordance with **28 U. S. C. 1746**.

Executed this 26th Day of May 2022

DAVID Q. WEBB

David Q. Webb

Print Name


/s/ David Q. Webb

Signature

PRESS FIRMLY



PRESS FIRMLY TO SEAL

Priority
FLAT RATE ENVELOPE
POSTAGE REQUIRED



Retail

P

US POSTAGE PAID

\$8.95

Origin: 19801
05/21/22
0968280501-87

RITY®
IL

FROM: 22-570

DAVID WEBB
40 East Main Street, #137
Newark, Delaware 19711

PRIORITY MAIL 1-DAY®

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EXPECTED DELIVERY DAY: 05/23/22

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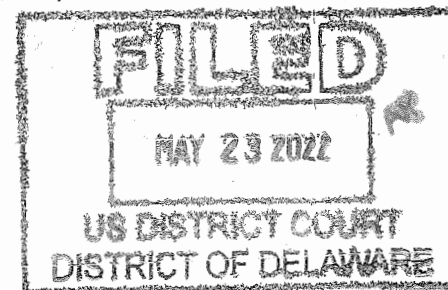
SHIP
TO:



844 N KING ST
UNIT 18
WILMINGTON DE 19801-3519

the

of coverage.



TO:

U.S. District Court for the District of Delaware
Office of the Clerk of Court
844 North King Street, Unit #18
Wilmington, Delaware 19801-3570

USPS TRACKING® #



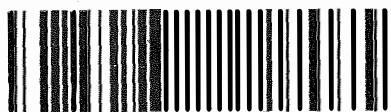
9505 5158 7696 2141 3180 31



Package Pickup,
QR code.

FLAT RATE
ONE RATE

TRACK



PS00001000014

EP14F May 2020
OD: 12 1/2 x 9 1/2

USPS.COM/PICKUP